United Nations A/72/PV.105

General Assembly
Seventy-second session

Official Records

105th plenary meeting
Monday, 2 July 2018, 10 a.m.
New York

President: Mr. Lajčák ..... (Slovakia)

In the absence of the President, Ms. Razafitrimo (Madagascar), Vice-President, took the Chair.

The meeting was called to order at 10.05 a.m.

Agenda item 132 (*continued*)

The responsibility to protect and the prevention of genocide, war crimes, ethnic cleansing and crimes against humanity

Report of the Secretary-General (A/72/884)

Mr. Skoknic Tapia (Chile) (*spoke in Spanish*): The Chilean delegation would like to express special thanks to the delegations of Australia and Ghana today for their efforts and dedication. It is their commitment that has led us to hold this debate in the General Assembly.

Chile supported the recommendation to include the responsibility to protect as an item on the Assembly's agenda. We also called for respect for the work of the Organization itself in the framework of its principles and prerogatives, with the aim of according priority to the rights of victims and ensuring their dignity; putting an end to impunity; promoting the participation of civil society and local communities, among other stakeholders; and enhancing strategic United Nations communication in the interest of achieving greater transparency.

We therefore welcome the Secretary-General's most recent report on the issue, entitled "Responsibility to protect: from early warning to early action" (A/72/884), and highlight the fact that his recommendations dovetail with the other major processes under way in our Organization. We believe that this is an excellent opportunity for us all to throw our weight behind the responsibility to protect from the perspective of prevention, given that we are now in the middle of a reform process. In addition, we must work to construct and promote resilient and cohesive societies.

In this context, we would like to strongly emphasize, as the Secretary-General does in his report, the important role of women in the prevention of atrocity crimes, since it can be a key element in early-warning and peacebuilding processes as well as in promoting cooperation, capacity-building and support networks at the local, regional and international levels.

Likewise, we are convinced that a united effort on the part of the United Nations and the strengthening of multilateralism are the most effective tools we have for the maintenance of order, peace and international security and, in the specific case of the responsibility to protect, for preventing failed decision-making from scarring humankind forever.

We know we cannot rewrite history, but we can learn from it. Our collective actions regarding the responsibility to protect must go hand in hand with reliable and timely information, so that the decisions we take are responsible, transparent and focused on a single objective, which is the ethical imperative of protecting people from the four atrocity crimes covered by the responsibility to protect.

Mr. Raum (Luxembourg) (*spoke in French*): My delegation aligns itself with the statements delivered

This record contains the text of speeches delivered in English and of the translation of speeches delivered in other languages. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-0506 (verbatimrecords@un.org). Corrected records will be reissued electronically on the Official Document System of the United Nations (http://documents.un.org).

18-20585 (E)

Accessible document Please recycle

by the observer of the European Union and by the representative of Qatar on behalf of the Group of Friends of the Responsibility to Protect (see A/72/PV.99).

We thank the Secretary-General for his report on the operationalization of the responsibility to protect (A/72/884). We share the view that the transition from early warning to early action is a collective pledge of our willingness to act so that the analysis and early-warning mechanisms put in place in recent years can achieve full effectiveness.

We also appreciate the important work done by the Special Adviser on the Responsibility to Protect, Mr. Ivan Šimonović, and the Special Adviser on the Prevention of Genocide, Mr. Adama Dieng. Luxembourg encourages the Secretary-General to appoint a successor to Mr. Šimonović as soon as possible.

We thank Ghana and Australia for their initiative in putting the responsibility to protect on the agenda of the General Assembly at its seventy-second session. Luxembourg supports the permanent inclusion of this item on the Assembly's agenda, as well as the adoption of a draft resolution affirming our responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity.

Current events make it clear that whatever normative progress has been made in recent years is inadequate to the realities on the ground. The worrisome developments we have seen in the past few weeks are a reminder of the fact that respect for the rule of law is a key principle in the maintenance of international peace and security.

Since the adoption of the 2005 World Summit Outcome document, civilian deaths in conflict have increased tenfold. Last week, on World Refugee Day, the United Nations High Commissioner for Refugees, Filippo Grandi, called attention to the fact that more than 68 million people are currently forcibly displaced. The list of conflicts in which we have seen large-scale atrocities — sometimes in front of our very eyes and in real time — is too long to cite them all today.

In the face of the resultant human suffering, diplomatic impasses are multiplying. We know that this situation is not inevitable and therefore fully support the code of conduct developed by the Accountability, Coherence and Transparency group to promote action by the Security Council against genocide, crimes against humanity and war crimes. We also support the initiative of France and Mexico aimed at avoiding the use of the veto in situations where there is a risk that mass atrocities may be committed against the civilian population. We believe that the responsibility to protect does not contradict State sovereignty but rather consolidates and legitimizes it.

Luxembourg deems the protection and promotion of human rights to be fundamental to preventing atrocities. The Universal Periodic Reviews carried out within the framework of the Human Rights Council and its special procedures mandate holders play a leading role in United Nations early-warning systems and recommendations for early action.

Luxembourg encourages all Member States to cooperate fully with the Office of the United Nations High Commissioner for Human Rights and with all special procedures mandate holders. Luxembourg encourages the United Nations entities working in the field to continue with their horizontal "human rights first" approach.

We consider the Framework of Analysis for Atrocity Crimes developed by the Office of the Special Adviser on the Prevention of Genocide and the Special Adviser on the Responsibility to Protect an effective tool, for the United Nations as well as for regional organizations and civil society.

Finally, we believe that the Group of Friends of the Responsibility to Protect — in which Luxembourg participates in both New York and Geneva — and the Global Network of R2P Focal Points, in which we also participate, strengthen existing measures. We encourage all States that have yet to designate a focal point for the responsibility to protect to do so.

This year we commemorate the seventieth anniversary of the Convention on the Prevention and Punishment of the Crime of Genocide. Luxembourg believes that the responsibility to protect and the fight against impunity are inseparable. We therefore encourage all States to ratify or accede to this indispensable instrument of international law. Twenty years after its adoption, we also call for the universalization of the Rome Statute of the International Criminal Court. Luxembourg remains committed to an effective multilateral system and an international order founded on the rule of law. Our efforts to safeguard human dignity must never give in to intimidation, and insularity must never become the norm. That is why,

13 years after the 2005 World Summit, we reaffirm our full commitment to the responsibility to protect.

Mr. Margaryan (Armenia): The debate on the responsibility to protect, as a formal agenda item of the seventy-second session, is an important opportunity to address the issues of the prevention of genocide, war crimes and crimes against humanity through open and unhindered dialogue.

We express our appreciation to the Secretary-General for sharing his vision for collective action and welcome the focus of his most recent report on the issue, entitled "Responsibility to protect: from early warning to early action" (A/72/884).

We want to emphasize the importance of a forthright and candid process of reflection on the concept of the responsibility to protect, so as to ensure that the varying interpretations of and scepticism towards certain aspects of the concept do not undermine the joint efforts to protect populations at risk. The membership's constructive engagement in addressing concerns and disagreements is very important.

The Secretary-General's report once again emphasizes that the responsibility to protect challenges us to avoid repeating the mistakes of the past, when too little was done to prevent genocide, war crimes, ethnic cleansing and crimes against humanity or to protect vulnerable populations. We reiterate our full support and appreciation to the Office on Genocide Prevention and the Responsibility to Protect, as well as the Special Adviser for the Prevention of Genocide, Mr. Adama Dieng, and the former Special Adviser on the Responsibility to Protect, Mr. Ivan Šimonović, for their work and dedication.

Armenia recognizes the crucial role of Special Advisers in monitoring and reporting on situations involving atrocity crimes. In this context, we would like to emphasize the importance of detecting and addressing any manifestations of hate speech, racism and xenophobia, as well as unhindered warmongering propaganda, in assessing specific country situations.

Armenia has consistently highlighted the importance of prioritizing early prevention, which includes sufficient capacity to identify early-warning signs in situations that may deteriorate and lead to the perpetration of mass crimes if not addressed.

In international forums, it has been Armenia's long-standing policy to strongly advocate for the protection of the rights of ethnic, national and religious groups and to denounce identity-based violence and atrocities. To that end, Armenia, together with other countries, has organized a number of events in recent years, including in the framework of the Human Rights Council and the Organization for Security and Cooperation in Europe (OSCE). In November, Yerevan hosted the OSCE conference entitled "Countering and preventing hate crimes against Christians and members of other religious groups".

The report's recommendations concerning existing human rights mechanisms, such as the special procedures of the Human Rights Council, the treaty bodies and the Universal Periodic Review process, deserve careful attention and application, as they are well positioned to play a crucial role and have a positive impact on early prevention. Armenia has always promoted the notion of early response, precisely in the context of prevention, and our track record is well known. The resolutions adopted in the Human Rights Council serve as a basis for formulating preventive strategies against the crime of genocide. In March, the Human Rights Council adopted by consensus a resolution initiated by Armenia on genocide prevention, which urges all States to implement accepted Universal Periodic Review recommendations related to the prevention of genocide, war crimes and crimes against humanity. In order to operationalize atrocity prevention, it is essential that the Special Adviser on the Prevention of Genocide provide States with guidance, assistance and follow-up, as reflected in the resolution.

The proclamation of 9 December as the International Day of Commemoration and Dignity of the Victims of the Crime of Genocide and of the Prevention of this Crime is a manifestation of an important consensus within the international community on preventing the recurrence of atrocity crimes.

Since 2015, Armenia has regularly hosted the Global Forum against the Crime of Genocide, attended by public, religious, academic, civil-society and media representatives from across the world. Later this year, the Global Forum will focus on the role that education and media can play in preventing identity-based crimes and countering denialism. We encourage all Member States and all relevant United Nations entities to contribute.

The year 2018 marks the seventieth anniversary of the Convention on the Prevention and Punishment of

the Crime of Genocide, which is yet another milestone in reaffirming our collective determination to fight impunity for the crime of genocide, war crimes and crimes against humanity. On the occasion of this anniversary, Armenia has proposed and supported the launch of a purposeful United Nations-wide campaign to raise awareness of the Convention and promote its universalization. As a country that has consistently advanced the issue of genocide prevention, including within the United Nations, Armenia will continue to make determined efforts to promote consolidated international action aimed at the prevention of and accountability for atrocity crimes.

Mr. Musikhin (Russian Federation) (*spoke in Russian*): From the very beginning, our delegation has opposed the inclusion of the concept of the responsibility to protect as an item on the General Assembly's agenda at this session, a decision that we believe is mistaken. I would like to briefly recall the history surrounding the issue.

The only recognized source for the concept of the responsibility to protect is the 2005 World Summit Outcome document. However, since then — that is, 13 years ago — States have not been able to agree on a uniform interpretation of its provisions. Moreover, the concept, on which there has always been a wide range of opinions, has been consistently degraded. Against that backdrop, in autumn 2017 a group of States, instead of continuing our interactive dialogue, forced a vote in the General Committee and then in the General Assembly in order to bring about the convening of today's meeting. Such methods have only led to further confrontation, as the current discussion has confirmed. As a result, the initiators of the vote are destroying the fragile consensus of 2005 with their own hands. At this point, we have to conclude that it no longer exists. It is worth noting that previously, while the responsibility to protect was never a norm or rule, there was at least an understanding of its conceptual foundations. Now there is not even that.

The reports of the Secretariat, including document A/72/884, claim some progress in the implementation of the concept. It is difficult for us to understand what that consists of, as there is no evidence for it in the report itself. Some routine repetitive attempts have been made year after year to formalize it, including through the creation of national focal points, but it is still not clear what their practical contribution is. In theory, the reports should establish the current state of affairs in the discussion of the concept, indicate all the existing points of view and, importantly, the controversial aspects that States should come to an agreement on. There has been nothing about any of this in the reports. Incidentally, paragraph 8 of the current report states explicitly that the Special Adviser consulted widely with Member States during its preparation. However, during the round tables that were held for that purpose, there was harsh criticism of the concept and its implementation in practice. Why are we not seeing those positions in the report? A large number of delegations have spoken about the serious flaws in the concept during the interactive dialogues and in other formats for many years, and yet the complete lack of analysis of those problems in the Secretariat documents continues. There is no point in hoping that formalizing the discussion in the General Assembly will somehow change these approaches to the issue.

If I may, I would now like to turn to the essence of the contradictions around the concept, which has now lost any basis for consensus on it. In its original form, it was conceived as an instrument capable of making a significant contribution to strengthening international peace and security. The idea carried a powerful, positive humanistic potential. However, its application in practice has turned out to be a disaster, and the people it was supposed to protect have suffered even more as a result. Now the responsibility to protect is associated with a particular sequence of events, consisting of illegal interference from outside by force, so-called regime change, the destruction of State systems, governmental paralysis and economic ruin.

We should point out that many have previously posited the Libya story as the first case of the practical application of the concept. What was the result? The NATO coalition's military actions regarding Libya, carried out under the pretext of protecting the population, plunged the country into a lengthy period of chaos and instability. The loss of human life, the destruction of public administration and infrastructure, the emergence of Da'esh in Libya and the massive migration crisis in the Mediterranean have continued to this day. The absence of any announced result in this case is not surprising. In reality, the military operation in Libya had only one goal, which was removing the country's then leader from the political arena. Once Muammar Al-Qadhafi had been killed and his Government removed from power, the protection of

civilians was quickly forgotten. That is what we now associate with the responsibility to protect.

A more recent example occurred on 14 April, when three permanent members of the Security Council, committed to firmly upholding the provisions of the Charter of the United Nations on the non-use of force, committed an act of aggression against a sovereign State, in this case Syria. After the events of that day, the best that the Government of Great Britain could come up with was a reference to the philosophy of so-called humanitarian intervention, which the international community has repudiated. Let us remember that it was the forerunner of this concept of the responsibility to protect that was the basis for the slogans under which NATO troops dropped bombs on civilians in Yugoslavia. No one has been held responsible for the barbaric interference in the affairs of the former Yugoslavia, Libya or Syria, or for its consequences. We often hear about the importance of combating impunity in this Hall. At long last, is it not time to deal with these champions of humanitarian intervention and their contemporary equivalents in their gross violations of international law?

In conclusion, we would like to once again affirm our position that any formalization of discussions on the responsibility to protect is pointless and in many cases completely useless. We have so far seen no disposition among the concept's ideologues to analyse its inherent contradictions or recognize the blatant abuses committed and disastrous mistakes that have been made in the attempts to implement it. Instead, we are invited to discuss non-essential elements and details. We are therefore against the inclusion of this issue as a standing item on the agenda of the General Assembly. The current debate in the Assembly has nonetheless been of some use. It has once again shown that if nothing is done about these mistakes, the concept will surely suffer the same fate as its predecessor, humanitarian intervention, and will eventually fade into oblivion.

Mrs. Elmarmuri (Libya) (*spoke in Arabic*): At the outset, I would like to thank the President of the General Assembly for his initiative to hold this meeting on the responsibility to protect. This annual debate will enhance the mandate of the General Assembly to continue considering this item and will give us a chance to benefit from different viewpoints and measures adopted regarding early warning in order to limit the impact of crises.

The 2005 World Summit Outcome document, which was adopted by Heads of State and Government on the responsibility to protect citizens from genocide, war crimes, ethnic cleansing and crimes against humanity, was based on a number of pillars, including the responsibility of States to protect their citizens and the responsibility of the international community to help States and to protect their citizens when States clearly fail to do so. However, the adoption of this principle has fallen far short of achieving the intended objective, given the disturbing developments that we have seen in the past few years, which threaten to widen the gap between the commitment of Heads of State and Government and the realities on the ground that people throughout the world face as a result of internal conflicts and the funding that fuels them.

Against that backdrop, my delegation would like to highlight several important points that are at the core of our discussion today.

First, there is a need to enhance early-warning mechanisms that could help Governments to identify resentments at their early stages, before they are exacerbated, and to hold the parties to a conflict legally accountable and responsible for the damage they have caused.

Secondly, it will not be possible to achieve successful, peaceful solutions, end crises due to armed conflict or eliminate the threat of terrorism and its repercussions until the obstacles to such peaceful solutions are addressed. They include interference in the internal affairs of States, wars, divisions and sedition, along with assisting and funding terrorist groups. Strict sanctions should be imposed while at the same time strengthening the role of the Security Council and accountability mechanisms.

Thirdly, monitoring systems should be enhanced while preventing the emergence of divisions based on religion, race or doctrine, which can lead to growing hostility among a country's citizens. Extremist ideologies should be addressed by establishing cooperation and dialogue between religions and cultures and identifying common human values.

In conclusion, my country underscores its renewed commitment to a responsibility to protect that must be supported by action. Early-warning mechanisms should be based on integrity and reflect a spirit of professionalism, without any political interference or double standards.

Ms. Yánez Loza (Ecuador) (*spoke in Spanish*): I thank and commend the President of the General Assembly for holding this plenary meeting on an issue of great importance that requires serious and thorough analysis by the General Assembly. We would also like to convey our gratitude, through the President, to the Secretary-General for his tenth report on the responsibility to protect (A/72/884), which focuses on early warning and the early adoption of measures. I also thank the delegations of Australia and Ghana for their facilitation efforts.

The State of Ecuador believes that the responsibility to protect is an issue that cannot be taken lightly. Although the concept has a humanitarian basis, it is also true that it must be implemented based on premises that do not undermine the guarantees provided to and the sovereignty of States.

In 2005, we supported the adoption of General Assembly resolution 60/1, which endorsed by consensus the 2005 World Summit Outcome document, which clearly established the three pillars that should underpin the idea of the responsibility to protect. The first is identifying the State as the entity with the primary role of protecting its population from genocide, war crimes, ethnic cleansing and crimes against humanity. The second emphasizes the role to be played by the international community through cooperation and the provision of assistance, in order to enable States to build local capacity that will enable them to meet their responsibilities. The third is to enable the international community to take collective measures, in accordance with the norms and procedures established in the Charter of the United Nations, that is, through the Security Council, in accordance with Chapters VI and VII of the Charter.

The Constitution of the Republic of Ecuador sets out, as a fundamental principle of coexistence, the need to guarantee full respect for human rights and the obligation of States to fight for their realization. We therefore believe that the three pillars should be implemented in strict accord with national policy and in chronological sequence, with priority always accorded to the first two, on the understanding that the third, and any eventual use of force, should come into play only in exceptional circumstances and as a last resort, and only by resolution of the Security Council, in accordance with Chapters VI and VII of the Charter and other established norms and principles.

We reiterate that only the General Assembly has the legal capacity and authority to define the responsibility to protect and, more specifically, to identify the conceptual, institutional and political dimensions of the task of its implementation. Although the responsibility to protect is a concept that requires further analysis and discussion among the States Members of the Organization, we trust that this new format for debate will give us the opportunity to discuss it with greater interest and political commitment, in a transparent and constructive manner, and to seek to protect civilians wherever atrocity crimes are committed, impartially and without selectivity.

There is a clear recognition of the fact that the upsurge of conflicts in the world is linked to situations of discrimination, marginalization, exclusion and the illegal occupation of foreign territory. Such conflicts cannot be resolved through the simple use of force. For this reason, Ecuador emphasizes that conflict prevention through the peaceful settlement of disputes is the best way to prevent the commission of atrocity crimes. The best way to prevent conflict and the most expeditious way to strengthen national capacities lies in building confidence in the law and in public international law, and we must ensure respect for the institutions established to that end and accountability for them.

With regard to accountability, we want to highlight the role played by the International Criminal Court in the maintenance of international peace and justice, in safeguarding the rule of law and as an essential element in conflict prevention and the provision of reparations to the victims of the most serious crimes. We therefore reiterate our support for the Court as a mechanism that is uniquely designed to tackle impunity. We call on all States to accede to the Rome Statute so as to ensure its universality.

Finally, we reiterate our confidence in the role played by regional and subregional organizations in preventing conflicts and the commission of the aforementioned crimes. Often early-warning mechanisms can avert a crisis of greater proportions or prevent a situation in a country from deteriorating and leading to an outbreak of violence against the civilian population, which generally affects the most vulnerable of its members.

Ms. Krisnamurthi (Indonesia): I would first like to express our appreciation for the report of the Secretary-

General dated 1 June 2018 entitled "Responsibility to protect: from early warning to early action" (A/72/884).

Our Constitution mandates that the Government and the people promote and protect — as a priority — human rights for everyone. At the same time, the principle of upholding humanity remains one of Indonesia's long-standing norms and values. A society's ability to protect its most vulnerable members is therefore important. To that end, the responsibility to protect should always be our fundamental credo, on the basis of the unassailable premise that innocent civilians are entitled to protection from genocide, war crimes, ethnic cleansing and crimes against humanity.

Today, 13 years after the adoption of the 2005 World Summit Outcome document, there is still an ongoing debate on the concept and implementation of the right to protect. In our view, this is positive progress. An important yet delicate issue such as the responsibility to protect deserves attention and an in-depth dialogue until a balance is reached between maintaining international peace and security and upholding the sovereignty of the State.

Indonesia believes that the responsibility to protect should be viewed in a broader context. It must also focus on prevention. In that regard, Indonesia supports the report of the Secretary-General, which mentions early-warning systems in particular. In our view, while human and institutional capacity are obviously of great importance, capacity-building is also essential in areas such as the strengthening of legal frameworks and early-warning mechanisms. If the responsibility to protect is to be successfully and effectively implemented, systematic measures must be put in place to promote its principles.

Indonesia would also like to once again emphasize the importance of strengthening institutional frameworks and building the resilience of communities throughout the world. We must work ceaselessly to promote respect and tolerance among all peoples at various levels.

We reiterate our belief that regional organizations can and must play a more active role in implementing the responsibility to protect, as we are doing with the Association of Southeast Asian Nations (ASEAN). The establishment of the ASEAN Intergovernmental Commission on Human Rights will serve as a useful model for regional prevention measures. The fact that all members of ASEAN are members of the Commission is a demonstration of transparency and inclusiveness and a reference to the principle of non-intervention.

In 2012, ASEAN adopted its own Human Rights Declaration, which details member States' commitment to upholding human rights for its 600 million people and beyond. It has also established the ASEAN Institute for Peace and Reconciliation, which is dedicated to research activities and to providing recommendations to member States on peace, conflict management and conflict resolution.

Finally, I wish to take this opportunity once again to call on the Security Council to recognize its critical role in the prevention of genocide, ethnic cleansing, crimes against humanity and war crimes. We reiterate that the permanent members of the Security Council must refrain from the use of the veto in the face of the potential occurrence of such crimes, including in the context of the protection of the Palestinian civilian population by the international community, as supported by a large majority of the United Nations membership.

Mr. Khoshroo (Islamic Republic of Iran): The Islamic Republic of Iran fully shares the sentiment that the international community must be vigilant if it is to prevent the horrors of past mass killings and genocide from being repeated in future. No one can forget how inaction on the part of the United Nations in the face of tragic cases of genocide and crimes against humanity, as well as outrageous acts of aggression, has over the past two decades resulted in death, injury or displacement for millions of innocent people. However, this has been more a failure on the part of the Security Council to act when action was needed rather than the result of the absence of a normative framework or of the non-implementation of the responsibility to protect.

Thus it was inaction on the part of the Security Council, as a result of a lack of political will on the part of some of its permanent members, that brought about the tragic genocide in Rwanda and other similar catastrophes. The controversies centred on the responsibility to protect are not rooted in the noble notion of the prevention of atrocity crimes but rather in its implementation and the scope of its application.

Examining this concept in practical terms can help us to view it from a better perspective and make this abstract concept more concrete. Moreover, the discussion of the responsibility to protect cannot be divorced from the concept's political and legal implications. Looking forward should not relieve us of the responsibility

to look back and remind ourselves of the lessons of history. We have seen in practice that the responsibility to protect has been guided by the politicized interests of certain States rather than by notions of human dignity and human rights, and it has therefore diverged greatly from its alleged objectives and purposes. That in turn has called into question its legitimacy and applicability as a political tool to be used in times of distress. As a result, the responsibility to protect is gradually being developed and seen as a political tool for paving the way for the selective application of interventionist policies whenever needed. This is exactly where the concept of the responsibility to protect faces a real challenge.

The normative framework regulating the prevention of atrocities is already in place. Compliance with the fundamental principles of international law, as set forth in the Charter of the United Nations, contributes to the rule of law at the international level and builds on the existing bulwark that forms the very basis of the international legal order. The main problem lies in illegitimate unilateral action by certain States, which every now and then creates chaos in international relations and undermines the existing normative structure.

The illegal use of force blatantly demonstrated in sudden, unjustified strikes, in flagrant violation of the sovereignty and territorial integrity of States Members of the United Nations, is a clear example of abuse of the well-established rules and principles of international law governing self-defence and the use of force. It makes it clear that the responsibility to protect has a dark future if it is designed to be used as a political tool for furthering the will of a few.

The Islamic Republic of Iran believes that we are still far from having a consensus on our understanding of the responsibility to protect as a concept. We believe that before implementing the responsibility to protect, it is crucial to define its normative framework and scope of application. The primary responsibility for preventing the commission of genocide, war crimes, ethnic cleansing and crimes against humanity lies with sovereign States. This is a core principle of international law, as enshrined in the Charter of the United Nations and articulated in paragraphs 138 and 139 of the 2005 Summit Outcome document.

Other States, or the international community at large, may step in to prevent such heinous atrocities upon request, on a case-by-case basis and through the United Nations. That by no means implies permission to use force against another State on any pretext, such as humanitarian intervention, which could pave the way for all kinds of politically motivated interventions in other countries. I am sure that no one would like to turn back the clock to a time when the theory of so-called just wars prevailed.

The prevention of mass atrocity crimes should remain the core objective of the responsibility to protect. It should be seen as a long-term strategy, and it should be interpreted in broad terms and include mainly non-coercive measures. Even the third pillar of the responsibility to protect encompasses several measures that do not necessarily call for coercion. In that context, the responsibility to protect should be seen as a framework for helping vulnerable or failed States to develop their capacity to protect their population and build safer societies. Prevention involves a broad range of issues ranging from the promotion of sustainable development, education and health care to the eradication of poverty, marginalization and discrimination.

The international community should discharge its responsibility in that respect, particularly through the provision of demand-driven capacity-building aimed at strengthening the resilience of societies and addressing the root causes of conflict. The objective of the responsibility to protect should not be regime change but rather the protection of the population, mainly through the empowerment of societies and a reduction in inequality. In the limited cases where coercive measures are needed to save the population, the responsibility to protect falls within the collective security framework of the United Nations and can be authorized only by the Security Council in full compliance with international law. Authorization by the Security Council should not be understood as carte blanche for the commission of fresh atrocities. It also goes without saying that the Security Council is not free to selectively opt for the authorization of the use of force in cases consistent with the will of its member States or to turn a blind eye to clear situations of mass atrocities, as we have witnessed in the past and are still witnessing now.

The Security Council is therefore bound by well-established principles of international law and should respect the sovereignty of States and their independence, and action to prevent mass crimes and atrocities should be seen as a last resort undertaken only after all efforts to take effective measures at the

national level have been exhausted. The scope of the application of the responsibility to protect should be defined in a way that genuinely addresses the plight of humankind whenever it faces mass atrocity crimes, free from selectivity and double standards and in full conformity with the principles and objectives of the Charter of the United Nations. Addressing the misery of people under occupation is the most important test of the responsibility to protect.

In conclusion, the Islamic Republic of Iran insists on the primacy of the well-established principles of international law, as enshrined in the Charter of the United Nations, in all circumstances. We hope that further discussions on the issue will be held in the context of efforts to prevent any future abuses of newly emerging concepts, as we have witnessed in the past with regard to some of the provisions of the Charter.

Mr. Ja Song Nam (Democratic People's Republic of Korea): I would like to state the position of the Democratic People's Republic of Korea at this plenary meeting on the report of the Secretary-General (A/72/884) on the responsibility to protect and the prevention of genocide, war crimes, ethnic cleansing and crimes against humanity.

First, we do not support discussions on the responsibility to protect in the General Assembly as a formal agenda item because there is no consensus on it among all States Members of the United Nations. At the plenary meeting on 15 September (see A/72/PV.2), the recommendation to include discussion of the responsibility to protect in the formal agenda of the General Assembly was approved by a vote, which makes it clear that the views of Member States on it continue to differ. We consider it a priority to narrow gaps through informal debates, as we have not reached a consensus on the core issues related to the concept of the responsibility to protect.

Secondly, the responsibility to protect peoples from genocide, war crimes, ethnic cleansing and crimes against humanity is entirely the sovereign right of a State. It must not be applied in a manner that interferes in States' internal affairs. As we have seen in the Middle East and Africa, some States have created chaos in developing countries, conducted collective military invasions on the pretext of protecting civilians and overthrown legitimate Governments, killing many civilians and causing the displacement of millions as refugees. They abuse the responsibility to protect as a tool for legitimizing their interference, aggression and regime-change ambitions in other Member States, while now urging for rapid implementation of the responsibility to protect, on which there is no consensus.

Thirdly, root causes such as hunger, poverty, inequality, discrimination and interference in others' internal affairs must first be addressed to protect people from genocide, war crimes, ethnic cleansing and crimes against humanity.

The Government of the Democratic People's Republic of Korea will continue to place the interests of its people at the top of its list of priorities and to protect and promote their human rights. We take this opportunity to stress once again that the risk-laden concept of the responsibility to protect, which has not been agreed on by all Member States and has been misused for illegal collective armed intervention based on political motives, selectivity and double standards, should no longer be considered as an item on the formal agenda of the General Assembly.

Mr. Suan (Myanmar): My delegation would like to thank the Secretary-General for his comprehensive 2018 report (A/72/884), entitled "Responsibility to protect: from early warning to early action", concentrating on how to better prevent atrocity crimes.

Thirteen years have passed since the adoption of the 2005 World Summit Outcome document on the concept of the responsibility to protect. Despite intensive interactive debates among Member States on the issue for more than a decade, we have not been able to reach a consensus on how to translate the concept into practice. While recognizing the importance of the prevention of atrocity crimes, I would like to emphasize once again that it is the primary responsibility of States to protect their citizens. The international community can provide assistance to Governments in their national efforts to undertake their responsibilities through capacity-building. Preventive measures should employ the peaceful means of dialogue, negotiations, confidence-building and reconciliation. Interfaith dialogues and the promotion of religious harmony among different faiths can also contribute significantly to peace and stability among different communities and effectively prevent tension and violent confrontation.

In that respect, countries should develop the policies and mechanisms best suited to their own situations in order to prevent conflict and ensure the peaceful settlement of disputes. National ownership

must be ensured for preventing crimes related to the responsibility to protect. With regard to international involvement in the responsibility to protect, respect for the national sovereignty and territorial integrity of States, as well as the principles of the Charter of the United Nations, must be strictly upheld. My delegation would like to stress that judging or categorizing a situation as a specific mass atrocity, or deciding to invoke the responsibility to protect, must be done based on well-founded, unbiased and factual information, with impartiality, accuracy and objectivity. In that connection, we are concerned about the existential danger presented by the misuse or abuse of the principles of the responsibility to protect by some groups and countries for their political agenda. My delegation categorically rejects the unsubstantiated accusations about the recent humanitarian situation in Rakhine state and its labelling as amounting to atrocity crimes.

With regard to accountability, my delegation concurs that States have the primary responsibility to investigate and prosecute crimes committed within their jurisdiction. As a State party to the Convention on the Prevention and Punishment of the Crime of Genocide, the Government of Myanmar has a clear position, which is that it will not condone any abuse of human rights. When concrete evidence exists, we are ready to take action against the transgressors, regardless of their identity, in accordance with the law. In that regard, the Government recently announced its decision to form an independent commission of inquiry, together with an international member, to investigate human rights violations following the Arakan Rohingya Salvation Army's terrorist attacks on 30 security outposts in Rakhine state in August 2017.

We are also concerned about the politicization and abuse of the International Criminal Court beyond its jurisdiction. Such actions can only jeopardize the legitimacy and integrity of the Court.

My delegation strongly objects to the inclusion of my country, Myanmar, under the subheading entitled "Forced displacement and refugee crisis" in the points for consideration at this meeting, as a country in which atrocity crimes have allegedly taken place. Such a prejudicial judgment, based on unfounded allegations and continuing media bias, will not contribute to the objective and constructive elaboration of the matter under discussion.

Since there remains a wide range of differences on the understanding and interpretation of this complex concept, we should continue the present method of interactive dialogue with a view to achieving consensus on the part of all Member States on translating the concept of the responsibility to protect into action in accordance with the 2005 World Summit Outcome document and resolution 63/308. We should point out that a vote was needed to adopt a recommendation to include this item in the formal agenda of the General Assembly (see A/72/PV.2), which showed a clear lack of consensus. We have been witnesses to the fact that the manipulation of the concept of the responsibility to protect, along with hypocrisy and the application of double standards, has led to catastrophic consequences. We should first focus on strengthening States' capacity and institutions for protecting their populations from atrocity crimes and on constructive engagement with those States, including by using diplomatic approaches and providing practical support.

In conclusion, my delegation therefore does not support the inclusion of the responsibility to protect and the prevention of genocide, war crimes, ethnic cleansing and crimes against humanity as a standing item on the General Assembly agenda or in the further pursuit of a resolution in that regard.

Ms. Bakuramutsa (Rwanda): It is fitting that we are gathered in this Hall to discuss the responsibility to protect and the prevention of genocide, war crimes, ethnic cleansing and crimes against humanity, a timely topic amid a number of worrisome global trends. Rwanda welcomes today's formal debate in the General Assembly at its seventy-second session on the responsibility to protect, and congratulates Ghana and Australia on their joint efforts to make the item part of the formal agenda. Rwanda would like to also thank the Secretary-General for his report (A/72/884), entitled "Responsibility to protect: from early warning to early action".

My country aligns itself with the statement delivered previously by the Permanent Representative of Qatar on behalf of the Group of Friends of the Responsibility to Protect (see A/72/PV.99).

Sovereignty as responsibility is the philosophical bedrock of the doctrine of the responsibility to protect. It is crucial to ensure that this ideology, based on the understanding that with sovereignty comes responsibility, remains in view whenever we

discuss the responsibility to protect. Undeniably, in the experience of Rwanda, we now understand, looking back, that when a State is responsible for egregious violations of human rights, that should not prevent other actors from intervening. This is the essence of the pillars of the responsibility to protect. It is significant that we are having this meeting during a year in which we are celebrating the seventieth anniversaries of the Universal Declaration of Human Rights and the Convention on the Prevention and Punishment of the Crime of Genocide. It is important that Member States that have yet to become party to the Convention do so as an essential step towards accepting the notion that with sovereignty comes responsibility.

Rwanda believes that as the Secretary-General mentioned in his report, early warning and early action should be an integral part of national, regional and international mechanisms to avoid atrocity crimes. This is crucial to enabling States and other relevant actors to respond rapidly and seek solutions before situations escalate. In that regard, the Human Rights Council's Universal Periodic Review is an important, well-placed tool for Member States to support atrocity-crimes prevention efforts. Rwanda has accepted and will endeavour to fully implement 50 Universal Periodic Review recommendations agreed on in 2015 before the next review cycle.

In our subregion, the East African Community has established the Eastern Africa Standby Force, which is mandated to enhance peace and security in the region. It is one of five regional multidimensional forces of the African Standby Force, consisting of military, police and civilian components. The African Standby Force is in the process of implementing its early-warning system, which will be part of the mechanisms to provide capability for rapid preventive deployment, peace support and enforcement operations. Furthermore, the African Union has taken positive steps to establish the Continental Early Warning System, which will play a key role in the African Union Peace and Security Council's mission to prevent, manage and resolve conflicts by anticipating and reporting on situations across the continent. These are encouraging steps for ensuring that national Governments and regional and international organizations are well equipped to respond to any occurrences of atrocities in good time.

I want to conclude by highlighting three areas that Rwanda believes should be part of the continuous discussion of the responsibility to protect. The first is accountability. Holding those involved in atrocity crimes accountable is fundamental to standing up against impunity and preventing the recurrence of such crimes. While national systems have the primary responsibility for ensuring accountability, when they are not able to do so, the international system must act credibly by ensuring that Member States interact on an equal footing.

My second point concerns peacekeeping. As a troop- and police-contributing country, Rwanda believes that peacekeepers can be a catalyst for stability in countries where they are deployed, helping to create an atmosphere conducive to strengthening peace. The Kigali Principles on the Protection of Civilians enhance peacekeeping missions by placing the protection of civilians at the heart of peacekeeping missions. We encourage more members to endorse these principles.

My third and final point concerns women, peace and security. Sexual and gender-based violence is a constant in conflicts around the world. We believe that aligning the peace and security pillars more closely with the development and humanitarian pillars to create greater coordination and coherence, while ensuring an inclusive approach with women's participation at all levels, will enable a more robust response in the protection of those at risk of widespread sexual violence.

Mr. Arrocha Ruíz (Panama) (*spoke in Spanish*): At the outset, I would like to express our appreciation for the significant progress that this formal debate represents as the first on the responsibility to protect after almost a decade. We are also grateful to the representatives of Australia and Ghana for their leadership in this process.

Panama aligns itself with the statement made by the representative of Qatar on behalf of the Group of Friends of the Responsibility to Protect (see A/72/PV.99), and consequently reaffirms its commitment to the three pillars of the responsibility to protect and our collective responsibility to protect our people from the scourge of genocide, war crimes, ethnic cleansing and crimes against humanity, as established at the 2005 World Summit.

We welcome the formal inclusion of this item on the agenda of the seventy-second session of the General Assembly and the focus on prevention proposed by the Secretary-General in his report of 1 June 2018 (A/72/884), with regard to the priority role of early warning and subsequent timely action that States are

called upon to ensure. The report's recommendations are very important to fulfilling the primary responsibility to protect.

The current debate on the need to preserve and strengthen multilateralism as the most effective way to address global challenges in the areas of human rights, development, migration and refugee crises, among others, is becoming increasingly important and requires collective efforts to create an atmosphere of trust, in the interests of the most vulnerable populations. The leadership that the international community, primarily the United Nations, and in particular the Security Council, is called on to show in addressing the growing threats to international peace and security in a timely manner and in accordance with the principles of the Charter of the United Nations is essential to building credibility and trust among people.

There is no doubt that the decisions taken by the Security Council are crucial to the agenda of the prevention of atrocity crimes. Given its primary responsibility for ensuring international peace and security, timely action in the decision-making of the Security Council, chiefly on the part of the permanent members, is critical to preventing acts of genocide, war crimes and crimes against humanity.

In that regard and bearing in mind that human rights can lead nations on a path to peace and security, in 2015 Panama joined the French-Mexican initiative in support of suspending the use of the veto in the Security Council in cases of mass atrocities, as well as the code of conduct promoted by the Accountability, Coherence and Transparency group, because we share the belief that situations of mass atrocities are unacceptable from any point of view, and contrary to the spirit that gave rise to our Organization. Similarly, in searching for the best way to address the issue, we stress the importance of the words of the Secretary-General's report on the need for the United Nations to reflect on cases where it has failed and to examine its success stories, so that they can also be considered in the detection of cases of risk, and so that the principle of early warning can become the Organization's principal raison d'être.

With regard to national efforts, States must commit to using the broadest possible range of international instruments for prohibiting and preventing atrocity crimes and protecting their peoples. As a country whose international policy rests on the protection of fundamental rights, Panama has therefore formalized its deposit of its instrument of ratification of the Kampala amendments to the Rome Statute, and has thereby strengthened its national legal framework and its commitment to the international community, of which accountability is a crucial element.

While we reiterate that the primary responsibility to protect lies with States, the constructive participation of other actors in promoting action by civil society and thereby building cohesive and inclusive societies, is an added value in the focus on prevention. Accordingly, and in support of national capacities, the active role of civil society and the empowerment of women, girls and young people as agents of change are becoming increasingly important in promoting and strengthening peaceful societies and preventing and settling conflicts.

In conclusion, I would like to reiterate Panama's commitment to the protection of all human rights and the elimination of all forms of discrimination. There is a pressing need for a paradigm shift in which accountability, capacity-building and political will prevail, together with ethical values, to ensure that our actions are not only just but are also effectively aimed at protecting populations at risk.

Mrs. Vives Balmaña (Andorra) (*spoke in Spanish*): We have the honour of participating in this first meeting of the General Assembly on the responsibility to protect and the prevention of genocide, war crimes, ethnic cleansing and crimes against humanity following the agreement reached at the seventy-first session, and thanks to the work of Australia and Ghana.

During the 2009 session, Andorra also expressed its support at the outset (see A/63/PV.99), considering the importance of implementing the concept, which is a responsibility that each State has to all of its citizens, in accordance with paragraphs 138 and 139 of the 2005 World Summit. Multilateralism can contribute effectively to the success of this approach.

In this year's report of the Secretary-General (A/72/884), entitled "Responsibility to protect: from early warning to early action", we are urged to combine action with words in a strategy that should involve both State institutions and civil society and create a culture of prevention. In this regard, I would like to recall that the President of the General Assembly warned us in his opening remarks that prevention does not make headlines in the press (see A/72/PV.99). In addition to the crucial role of the media, ongoing in-depth efforts are needed to create and strengthen prevention.

I would like to underscore three aspects of this issue as useful principles for the responsibility to protect. First, human rights, as early-warning indicators of potential conflicts and their consequences on the ground, together with the work of the Human Rights Council and the Working Group on the Universal Periodic Review in its specific analyses and recommendations, are all tools for identifying high-risk situations and taking action. This meeting could not be more timely since, as has already been mentioned, the year 2018 marks the seventieth anniversaries of the Universal Declaration of Human Rights and the Convention on the Prevention and Punishment of the Crime of Genocide, which are key to the issue we are discussing today.

Secondly, and as we have reiterated on other occasions, international justice ensures a sense of collective responsibility. We encourage States that have not yet done so to accede to the Rome Statute, whose twentieth anniversary we will celebrate next month, as we fight against impunity for crimes against humanity and in the interest of the universality of the Statute and the International Criminal Court. We would also urge States to sign the code of conduct regarding Security Council action against genocide, crimes against humanity and war crimes, which calls for preventive action.

Thirdly, as the reports of the Secretary-General also highilght, education is needed to strengthen the values of knowledge and respect for cultural diversity and peaceful coexistence, which are inclusive values that underpin non-discrimination in all its forms. Through them, prevention, which is central to the work of the United Nations in bringing about a world of peace, can become effective. In armed conflicts, our objective is to give maximum support to the protection of children, and we consider it absolutely essential to respect educational and health infrastructure and the personnel who work in these areas.

Education for global and democratic citizenship can be instrumental in preventing conflicts and building resilience. Providing quality education, with values, is also a responsibility of States in their commitment to major transformations under the 2030 Agenda for Sustainable Development.

Mr. Islam (Bangladesh): Bangladesh considers this formal debate in the General Assembly on the responsibility to protect an important development. We are encouraged to see the list of speakers and level of participation at this debate and hope that its continued momentum will help to clarify and demystify certain issues concerning the responsibility to protect. We see merit in having this as a standing item on the agenda of the General Assembly.

Bangladesh aligns itself with the statement delivered by the representative of Qatar on behalf of the Group of Friends of the Responsibility to Protect (see A/72/PV.99). We thank the President of the General Assembly and the Secretary-General for their hard-hitting and forward-looking statements.

Bangladesh reaffirms its commitment to the responsibility to protect as expressed and adopted in the 2005 World Summit. We consider the three pillars of the responsibility to protect to constitute its core foundation and remain sensitized to concerns among a number of Member States about the possible ramifications of the third pillar in particular. We do not consider that principled opposition to the third pillar can take us forward in any way unless we make an effort to reconcile it as part of the responsibility-to-protect architecture with the necessary understandings and safeguards built around it. We would urge all Member States to approach the issue in that constructive spirit.

We underscore that States have the primary responsibility to protect and that it should not be asserted to contravene the fundamental principle of State sovereignty. The prerogative of States to maintain and enforce law and order and protect their citizens must be founded on a nationally determined legal basis, in adherence to relevant international norms and standards. However, in cases where a State appears unable or unwilling to assume the responsibility to protect, the international community cannot simply ignore the situation and relegate it to the domain of internal or bilateral affairs. The United Nations in particular has a role to play in this context, in the light of the purposes and principles of its Charter.

We therefore endorse the Secretary-General's vision of making the prevention of atrocities the centrepiece of his prevention agenda. The various forms of atrocities, such as genocide, war crimes, crimes against humanity and ethnic cleansing, that we continue to witness around the world reinforce the urgency of the task at hand. There is a near-convergence of views that the United Nations has the scope to further step up its efforts in preventing and responding to the commission

of atrocity crimes and in making a difference on the ground through early warning and preventive action.

At this point, our delegation would like to turn to the Rohingya humanitarian crisis, which Bangladesh has been forced yet again to deal with since October 2016 and August 2017. The magnitude of the atrocities involved in the crisis has shaken the world's conscience, and the Secretary-General has duly taken the lead in directing the international community's attention to this long-term threat to regional and international security.

The crisis was long in the making, and the apathy or complacency of the concerned international and regional actors largely allowed it to reach its current proportions. It has been particularly disappointing to note the sheer inadequacy of early-warning messages from the United Nations presence in Myanmar even when preparations were reportedly under way for the atrocities committed by Myanmar security forces and local vigilantes in Rakhine state last year. Such inadequacies and omissions have enabled the Myanmar civilian and military authorities to peddle their fabricated and toxic narratives about the Rohingya in the direction of outright denial or the legitimization of any wrongdoing, let alone admitting to atrocities.

We hope that the recently created possibilities for United Nations engagement in Rakhine state will be used for the dual purpose of, first, preventing any further violence against the remaining Rohingya population, and secondly, creating a situation conducive to the voluntary, safe and dignified return of the forcibly displaced Rohingya in Bangladesh to their homes or places of choice in Rakhine state. That could be coupled with efforts to support the development of appropriate legal and institutional mechanisms for preventing atrocities at the national level in Myanmar. This is an opportunity to replicate or adapt good practices already in place in a host of Member States, including some in the region.

In the process, the critical question of accountability for the atrocity crimes committed against the Rohingya, including against women and children, must remain at the fore. The national investigation initiatives launched by Myanmar authorities have so far failed to gain any credence, and the Human Rights Council's fact-finding mission has repeatedly been denied access. According to reports, the International Criminal Court's most recent overture to Myanmar to engage on the question of its possible jurisdiction on the forced deportation of the Rohingya is shrouded in uncertainty.

The atrocities against the Rohingya committed in the name of counter-terrorism operations, which have resulted in the exodus of more than 700,000 people, clearly amounted to a State's abdication of its responsibility to protect civilians on its territory. In her address to the General Assembly in September 2017 (see A/72/PV.14), our Prime Minister therefore suggested creating safe zones in Rakhine state to ensure protection for the vulnerable Rohingya and other communities there. In order to address the Rohingya's overriding concerns about their safety and security, we continue to advocate for a mechanism to guarantee their protection, especially given the environment of near-impunity for the crimes they have recently been subjected to.

Following his visit to the Rohingya camps in Cox's Bazar earlier this year, the Secretary-General's Special Adviser on the Prevention of Genocide commented on the responsibility to protect in action in Bangladesh. He went back to Bangladesh last week to discuss the possible role of religious leaders in addressing any fallout from the crisis at the community level.

In tandem with our sustained and progressive efforts at the national level, Bangladesh will continue to uphold international humanitarian and human rights law as part of our contribution to United Nations peace operations. We reaffirmed these pledges during our recently concluded Universal Periodic Review at the Human Rights Council. We remain committed to promoting the universalization of the Convention on the Prevention and Punishment of the Crime of Genocide and the Rome Statute of the International Criminal Court.

Considering the importance of reconciling with the past, we seek the international community's support in recognizing the genocide committed in Bangladesh during our War of Liberation in 1971. We look forward to making an announcement soon on our decision to join the code of conduct regarding Security Council action against genocide, crimes against humanity and war crimes, which we support in principle.

Mr. Dinh Nho Hung (Viet Nam): I would like to express my sincere appreciation to the President of the General Assembly for convening today's plenary meeting to debate the responsibility to protect. I would also like to thank the Secretary-General for his report (A/72/884) entitled "Responsibility to protect: from

early warning to early action". We acknowledge that the purpose of this debate is to foster dialogue, trust and confidence among States on the matter.

Since the 2005 World Summit Outcome document, the international community has been of one mind about the common goal of preventing and fighting against genocide, war crimes, ethnic cleansing and crimes against humanity. Viet Nam strongly condemns such crimes and is always ready to work with the international community to protect civilians from atrocity crimes.

Viet Nam is of the view that States have the primary responsibility to protect their own citizens from such crimes. The responsibility for early warning also rests with States first and foremost. However, the establishment of early-warning measures should be in accordance with specific national circumstances. We also believe that international assistance is most effective and sustainable when it is based on the needs and wishes of the people in the countries concerned and provided in accordance with the Charter of the United Nations and the principles of international law.

Our discussion of this issue should always be guided by the overriding purpose of the Organization, which is to save succeeding generations from the scourge of war. In that spirit, we believe that all disputes and differences should be resolved through peaceful means and in conformity with international law. At the same time, it is vital that we address the root causes of conflicts, ending all forms of discrimination, including ethnic and religious discrimination. We support initiatives and international cooperation aimed at hunger eradication, sustainable development, climate-change adaptation, capacity-building, the promotion of gender equality, ensuring the improvement in the conditions of vulnerable groups and eliminating all forms of discrimination.

We are of the view that the inclusion of the responsibility to protect as a standing item on the agenda of the General Assembly should require the widest possible convergence of views among States Members of the United Nations. Viet Nam is committed to engaging in constructive, positive and cooperative dialogue with all Members States to reach common ground on these issues on the basis of international law and the Charter of the United Nations.

Mr. Locsin (Philippines): The Philippines supported the inclusion of this item on the agenda of the seventy-second session of the General Assembly. I thank Australia and Ghana. We are pleased to contribute to this debate today.

The doctrine under discussion affirms States' responsibility to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity perpetrated by State or non-State actors or by their own security forces — and not just the latter. The first duty of States is the protection of their populations from actual harm or threats to their safety and well-being. That is the basis of State legitimacy. But a State fails in its responsibility to protect as much by failing to use every effective means to protect its population from harm as by abusing them itself. This happens when States give way to terrorism and organized crime instead of combating them.

Prevention is at the core of the responsibility to protect. National institutions for good governance should therefore be strengthened, especially where fighting organized crime and terrorism is concerned. There is also the importance of ensuring strong national defence against genocide-prone foreign State and non-State actors, as well as reforming democracy in order to prevent Government from capture by violent groups, such as intolerant mass movements or organized crime, as in the case of the drug trade. The perpetrators of organized crime or terrorism are not congregations of the accused entitled to the presumption of innocence and to be treated accordingly even when they are caught in the act. That presumption attaches once they have been brought before a court of law, or the concept of suspects in law enforcement would not exist.

We must professionalize security forces so that they can protect their own citizens without harming them. The concept of collateral damage has no more place in police and security operations than does the suggestion of yielding to enemies without a fight in order to limit suffering.

We should instil values opposed to extremism, criminality and terrorism, while promoting tolerance and law-abiding pluralism. But criminality and terrorism are not aspects of diversity nor features of plurality. They are what they are. We must address the roots of terrorism, but once terrorism has taken root, grown and started to bear militant fruit, addressing it must go hand in hand with pulling out the growth before it scatters its seeds farther afield to take root, grow and flourish in more places. That must be done with the

strictest regard for human rights and without hurting the innocent, for the blood of the innocent fertilizes the ground for terrorism to take root and grow.

We support the Secretary-General in putting prevention at the centre of the United Nations peace and security reform agenda, but part of prevention is discouraging the misuse for political purposes of the concept of the responsibility to protect in order to justify foreign intervention in domestic law enforcement. That discredits it, and invites the view that it is objective collusion with the evil that the State seeks to stamp out. The road to hell resounds with the footfalls of the sanctimonious.

It is important to strengthen early-warning mechanisms to ensure that they lead to early action, but early warning does not include delaying the basic State function of stopping crime. The challenge for the responsibility to protect is to balance consistency and predictability in the rule of law with an appreciation of the uniqueness of each case, but in every case we must acknowledge the universality of norms of right and wrong. They remain opposites. While one might disagree about what is right, let alone perfect in all circumstances and practical in some, there can be no doubt about what is wrong and the necessity to fight it in every case. We cannot accept moral relativism. There are Asian attitudes, but imagining that there are distinctly Asian values of right and wrong is pure nonsense. We cannot accept that there are no such things as good and evil but, like beauty and ugliness in the eye of the beholder, the dichotomy can be resolved at the convenience of the actor. Moral relativity is the greatest evil.

Our assessment of every possible case of failure of the responsibility to protect must be impartial and evidence based, free from politics and double standards. It excludes the selective use of the veto in possible responsibility-to-protect situations by the Security Council's permanent five, in pathetic exhibitions of efforts to revive colonial influence.

We must ensure that when we identify vulnerable populations, those who make criminal career choices are not considered as vulnerable to anything but the inexorable enforcement of the law. The Constitution of the Philippines values the dignity of every person and protects the most vulnerable — women, children and the poor — who become victims of mass atrocity crimes that they frequently cannot flee, and when they can, it is only to be turned away at the borders of places of greater safety across the sea. Our Constitution protects the law-abiding who are victims of the lawless. And it is not the responsibility of States to protect the lawless, other than according them the most basic rights of the accused after they have submitted to the authority of the State.

We support the Secretary-General's call to strengthen the role of women in the prevention of atrocity crimes. Women are at the forefront of our peace processes; they are the most likely to become victims of conflict and the first to recognize conflict's futility and excuse for savagery.

The Secretary-General encourages States to sign, ratify and implement basic instruments of international law on this subject, including the Rome Statute, but the commitment to protecting and advancing human rights, including the right to equal safety from criminality and abusive State authority, survives and far exceeds the obligation to remain in agencies that were designed for their enforcement but that have compromised themselves in that task. Bonds are sacred, but institutions are merely the sum of the people who occupy them.

Despite all of this, mass atrocity crimes and inhuman crimes committed against a handful of people, or even one — the baby face down on the beach; girls set on fire in iron cages; civilians bombed to test the puissance of the new Condor Legions in Yemen; old men, young men and boys shot out of hand; wives, mothers, women and girls gang-raped and trafficked — and only because they are Christians in the Middle East or Muslims in South-East Asia. All must stop or be stopped, whatever it takes, regardless of sovereignty, in the name of humankind beyond borders.

Mr. Duarte Lopes (Portugal): It is with great pleasure that I am addressing the General Assembly on behalf of Portugal on this topic of concern to all of us.

We are fully aligned with the statement delivered by the observer of the European Union (see A/72/PV.99), and I would like to add additional remarks in my national capacity.

Let me first thank the Secretary-General for his report (A/72/884), on the follow-up to the outcome of the 2005 World Summit. Portugal fully shares his views. In today's world we must be aware of our collective responsibility to protect vulnerable

populations should States fail to protect their citizens from the worst atrocities.

Portugal fully endorses the common pledge to promote and strengthen the principle of the responsibility to protect on the basis of a threefold strategy — first, strengthening existing capacities; secondly, promoting accountability; and lastly, innovating for prevention through civil society. We urge all States to support the inclusion of the responsibility to protect as a standing item on the agenda of the General Assembly, and we commend Australia and Ghana for their leadership, as well as the Group of Friends of the Responsibility to Protect.

We call on the Security Council to further expand its early-warning tools and reinforce the peaceful settlement of disputes. We would like to point to our support to the French-Mexican initiative on the suspension of the use of the veto in cases of mass atrocity, as well as the code of conduct of the Accountability, Coherence and Transparency group with regard to timely and decisive action by the Security Council against genocide, crimes against humanity or war crimes.

We have an obligation to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity on the basis of international human rights standards. Portugal therefore recognizes the pivotal role of the Human Rights Council in proactively implementing early-warning and early-action mechanisms to prevent violent conflicts and mass atrocity crimes. We also want to reiterate our continued support and recognition of the work of the United Nations Office on Genocide Prevention and Responsibility to Protect and to thank the Special Adviser of the Secretary-General on the Prevention of Genocide, Mr. Adama Dieng, and the former Special Adviser on the Responsibility to Protect, Mr. Ivan Šimonović, for their guidance. We commend both Mexico and Finland for co-hosting the eighth meeting of the Global Network of R2P Focal Points.

Portugal reaffirms its full commitment to peacekeeping, peacebuilding and special political missions in order to prevent outbreaks and relapses into conflict. We participate in numerous United Nations missions, deploying more than 200 members our of military and security forces. We also endorse the Kigali Principles on the Protection of Civilians, which guide our forces in field operations.

In conclusion, it is our collective obligation to be fully united on the responsibility to protect. While the primary responsibility lies with each and every country, Portugal believes that the United Nations is the central platform for pursuing the debate and looking for action-driven solutions, when needed, in full coordination with the States concerned.

Mr. Mikayilli (Azerbaijan): The delegation of Azerbaijan thanks the President for convening this first formal debate on the responsibility to protect since 2009. We are also grateful to the Secretary-General for his most recent report on the subject, entitled "Responsibility to protect: from early warning to early action" (A/72/884).

Thirteen years ago, Member States made a commitment to protecting their populations from genocide, war crimes, ethnic cleansing and crimes against humanity. However, as noted in the Secretary-General's report, the gap between that commitment and the experience of vulnerable populations has grown. Wars and armed conflicts continue to rage in many parts of the world. The erosion of international humanitarian law further increases human suffering, with women and children paying the highest price in conflict situations. Hate speech, incitement to hatred and xenophobia are on the rise across the globe. The number of refugees and internally displaced persons has already reached a record level of 65 million. Forced displacement is increasingly used as a method of war.

Member States must address the mismatch between promises and action. First and foremost, the root causes of armed conflict should be tackled to reverse this negative trend. In that regard, the international community should condemn any occupations of Member States or acts of aggression committed against them, and fully respect their sovereignty and territorial integrity. All parties should respect international humanitarian and human rights law, combat impunity, enhance accountability and strengthen their capacity and national ownership in protecting populations.

The primary responsibility to protect populations from atrocity crimes rests with States. As underlined by many speakers during these deliberations, prevention is the most effective form of protection.

The early identification and tracking of atrocity crime factors is crucial to that end. The promotion of mutual tolerance and peaceful coexistence could also be a very powerful tool in building resilience to

atrocity crimes. We also note that the Secretary-General highlights inclusive and sustainable development as the best form of prevention against all kinds of risks, including the risk of atrocity crimes.

The World Summit Outcome document stipulates that

> [t]he international community, through the United Nations, also has the responsibility to use appropriate diplomatic, humanitarian and other peaceful means, in accordance with Chapters VI and VIII of the Charter, to help to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity" (*resolution 60/1, para. 139*).

Regrettably, narrow political interests, double standards and selectivity have prevailed, international law is becoming ineffective and the credibility of institutions such as the United Nations and regional organizations is being eroded. Not all grave violations of international and human rights law receive due attention and a response at the international level. The conspicuous silence in certain instances, particularly in situations of military aggression and foreign occupation, and total disregard of a number of Security Council resolutions, serves to accentuate a deficiency that is characteristic of the international community today.

Divergent views persist on the nature, scope and application of the responsibility to protect. The Secretary-General, in his statement, also referred to fear and concerns among Member States about the concept. We therefore need more discussion to identify common ground and reach consensus on the responsibility to protect.

It is critical to ensure that actions in fulfilling the responsibility to protect are undertaken only in conformity with the purposes and principles of the Charter of the United Nations. The responsibility to protect should never be used to pursue political objectives, intervene in the internal affairs of States or undermine States' sovereignty, territorial integrity and political independence. Furthermore, this concept must not be applied in a selective manner.

In conclusion, we look forward to further discussions in order to bridge the differences on the points of contention around the responsibility to protect.

Ms. Cerrato (Honduras) (*spoke in Spanish*): First of all, I would like to congratulate the President of the General Assembly for scheduling this formal debate on the responsibility to protect and the prevention of genocide, war crimes, ethnic cleansing and crimes against humanity, as such a debate has not taken place since 2009. It is a unique opportunity for States Members of the United Nations to promote dialogue on action aimed at implementing the responsibility to protect on the basis of what was agreed at the 2005 World Summit. My delegation would also like to thank the Permanent Representatives of Australia and Ghana for their efforts last year to ensure that this item was included on the agenda of the General Assembly, something that Honduras fully supported.

My country welcomes the report of the Secretary-General entitled "Responsibility to protect: from early warning to early action" (A/72/884) and supports his strategy for prioritizing prevention across all the United Nations pillars, considering the importance of implementing the responsibility to protect.

To that end, my delegation believes that it is essential to strengthen international cooperation in order to respond to the major challenges currently facing developing countries, while respecting international human rights, international humanitarian law and refugee and migrant law. Similarly, the responsibility to protect must not be dissociated from efforts to achieve genuine and sustainable peace, which contribute to the strengthening of international peace and security by ensuring the full participation of women and young people in all areas of society, particularly in prevention and the building of a genuine peace.

For Honduras, the responsibility to protect is a priority, and although much remains to be done, in recent years joint action has been undertaken by the public sector, including our National Congress, our secretariat for human rights, security and defence, as well as academia and civil society.

The State of Honduras has made significant progress in this area with the adoption in 2017 of a new criminal code, which, in the framework of our adopted regulations, establishes penalties for genocide, war crimes and crimes against humanity, and sets out in detail the type of penalty applicable to each of these types of crimes against the international community. I would also like to point out that Honduras is a member of and active participant in the Latin American Network for Genocide and Mass Atrocity Prevention, a unique regional forum for impiementing national and

regional initiatives aimed at genocide prevention and education in the ministries of the participating Latin American countries.

Similarly, we have incorporated the topic of genocide and mass atrocities, with a preventive focus, into the training curriculum for public servants and members of the Honduran armed forces and published educational material with a focus on preventing discrimination in that area. In addition, public servants of the human rights secretariat and other Government institutions have received training from the Auschwitz Institute for Peace and Reconciliation, for which we express our gratitude.

In conclusion, I would like to express my country's commitment to the Rome Statute and, together with the relevant national, regional and international bodies, to continuing to make progress in preventing atrocity crimes and in terms of the responsibility to protect the people of Honduras.

Mr. Rai (Papua New Guinea): Papua New Guinea joins previous speakers in complimenting the Secretary-General, His Excellency Mr. António Guterres, on his important and timely report (A/72/884) on implementing the responsibility to protect and on accountability and prevention. I also want to thank Ambassadors Bird of Australia and Pobee of Ghana for their leadership on this important issue.

Given the great wars and consequential atrocities of the twentieth century, their unabated continuation this century is in itself a wake-up call to our common humanity and all Governments to be on the alert to take immediate remedial action where situations of atrocity crimes arise. It was in that context that world leaders, in 2005, adopted the World Summit Outcome document, on the responsibility to protect citizens from mass atrocity crimes such as genocide, ethnic cleansing, war crimes and crimes against humanity.

The Secretary-General's report's key messages are crystal-clear and put all Member States on notice, as primary-responsibility custodians, to do more to protect innocent people from atrocity crimes, especially women and children, who have often been used as human shields and suffered sexual violence, among other crimes. All nation States must work both individually and collectively to prevent devastating atrocity crimes, in defence of our common humanity. Civil-society groups and faith-based religious groups should also support all national and international efforts in that regard.

As the Secretary-General has pointed out, the responsibility to protect is enshrined in international human rights and humanitarian law, as well as the constitutions and legal jurisprudence of all States. It is a tragic fact that atrocity crimes continue to be perpetrated, violating human rights under both national and international humanitarian law. Nation States often find themselves helpless to contain such crimes, all too often owing to a lack of capacity to prevent insurgency within national borders. When this is the case, nation States, within any given regional grouping, should collaborate and deploy combined regional resources, including security forces, to address such situations with a swift humanitarian response.

Papua New Guinea, a country still recovering from conflict, is fully aware of the serious negative impact that atrocity crimes have on those directly affected. It takes generations to fully recover from them. In this regard, the United Nations continues to play a pivotal role in all post-conflict peacebuilding and rehabilitation situations, in Papua New Guinea and elsewhere. But it should not be seen or taken for granted as the sole player in this respect. Those who commit atrocity crimes must also be brought to justice. The Organization is only as good as its Members want it to be, and that means it must be provided with the appropriate resources for undertaking the task of sustaining peace.

My delegation aligns itself with the statement delivered by Ambassador Tito, the representative of Kiribati, on behalf of the Pacific Islands Forum (see A/72/PV.99). Ambassador Tito, a former President of Kiribati, presided over the Pacific Islands Forum that adopted the Biketawa Declaration in 2000. Pacific Island Forum leaders wanted to give priority to the early-warning and early-action approach collectively in order to deal with possible atrocity crimes in the region. That is the Pacific way, our response to the second pillar of the responsibility to protect, translated into action.

Mr. Yao Shaojun (China) (*spoke in Chinese*): The Chinese delegation listened carefully to the presentation delivered by Secretary-General Guterres and has taken note of his report on the issue of the responsibility to protect (A/72/884). We would like to make the following observations.

First, we must uphold the principle that the Governments of all countries have the primary responsibility to protect their citizens, along with the principle of the ownership of Member States. The responsibility to protect the people ultimately rests with each Government, consistent with the principle of sovereignty. When addressing crises, the international community should therefore fully respect the sovereignty of the countries concerned, abide by the purposes and principles of the Charter of the United Nations and uphold the principles of sovereign equality and non-interference in internal affairs.

Based on respect for the leadership of the countries concerned, the international community should provide constructive assistance when necessary. In the current context, all parties should foster the concept of a common, comprehensive, cooperative and sustainable security and strive to build a community for the shared future of humankind. This is the fundamental long-term approach to protecting the peoples of all countries.

Secondly, we must faithfully implement the 2005 World Summit Outcome document, which states that the application of the responsibility to protect is strictly restricted to genocide, war crimes, ethnic cleansing and crimes against humanity. This formulation is a balanced one and a compromise negotiated by all countries, and all parties should therefore refrain from expanding or arbitrarily interpreting, distorting or abusing it. The principle of leadership by Member States should be upheld in the discussion of the concept of the responsibility to protect.

Thirdly, prevention and increasing preventive diplomacy efforts are important. China notes that the Secretary-General's report proposes a series of measures regarding early warning and early action, such as strengthening the capacity-building of Member States, solving problems by political means and fully leveraging the roles of United Nations agencies and regional and subregional organizations. China appreciates this reflection of a focus on prevention.

In the light of their circumstances, the countries concerned should strengthen prevention efforts by identifying their own weaknesses and the possible risks they face and try to address the root causes of the conflict, with a view to addressing both the symptoms and sources of the problem.

Fourthly, we must exercise caution when using force and should strive to use non-military measures to protect civilians. The international community should give priority to dialogue, consultation, negotiation, mediation, good offices and other peaceful means for solving problems. The use of force in enforcement measures and the authorization to use force should be considered only when all peaceful measures have been exhausted. It should also be in line with the provisions of the Charter of the United Nations. Military action taken by the international community to protect civilians must be authorized by the Security Council with strict conditions attached and explicit methods of implementation.

Now that Member States are paying heightened attention to the issue of the responsibility to protect, we hope that the discussions held in the General Assembly will help them to build consensus and refrain from imposing controversial initiatives.

Mr. Beleffi (San Marino): First of all, I would like to welcome the inclusion of the responsibility to protect and the prevention of genocide, war crimes, ethnic cleansing and crimes against humanity on the formal agenda of this session of the General Assembly and support including it as a standing item.

The Government of the Republic of San Marino is deeply concerned about and firmly condemns the growing number of attacks on civilians, schools, hospitals, places of worship, peacekeepers, humanitarian workers and journalists. We affirm our commitment to the principles underpinning the norms of the responsibility to protect and to obligations under human rights and humanitarian law such as the Convention on the Prevention and Punishment of the Crime of Genocide, which marks its seventieth anniversary this year.

Prevention and accountability play a vital role in preventing and stopping atrocity crimes. We fully support the Secretary-General's focus on prevention as a primary aspect of our Organization and a meaningful approach to averting large-scale violations and abuses of human rights and humanitarian law. We emphasize the importance of all available preventive tools, including dialogue, mediation and diplomacy, to stop and prevent the escalation of any mass atrocity crimes.

The International Criminal Court remains crucial in the fight against impunity for genocide and crimes against humanity and represents a core element in the implementation of the responsibility to protect. Through

its work, the Court helps to foster accountability and therefore promote prevention and reconciliation.

We commend initiatives such as the Accountability, Coherence and Transparency group's code of conduct regarding Security Council action on genocide, war crimes and crimes against humanity, and France and Mexico's declaration on voluntary restraint in the use of the veto by the permanent members of the Security Council.

San Marino supports the work of the Special Advisers on the Prevention of Genocide and the Responsibility to Protect and their work in mainstreaming this topic within the United Nations system. The United Nations system can play a substantive role in mass atrocity prevention. As underlined in the Secretary-General's report (A/72/884), early warning must be systematically linked to decision-making about early action.

By making better use of the instruments at their disposal, the General Assembly, the Security Council and the Human Rights Council can move effectively from early warning to early action and therefore make a big difference in the prevention of atrocity crimes. We would also like to underline the important role played by civil society, the business sector and religious and traditional leaders. Civilian action has great potential for easing tension and preventing violence.

Today we are seeing devastating humanitarian crises and more than 65 million civilians displaced by atrocities and conflict. The rule of law and strong multilateral institutions are particularly crucial right now if we want to bridge the gap between our words of commitment and the atrocities suffered by vulnerable populations. We must act with determination and in a united and concerted fashion. It is our individual and collective duty to continue working for the realization of the responsibility to protect.

Ms. Prizreni (Albania): Albania fully aligns itself with the statement delivered by the observer of the European Union (see A/72/PV.99). I would like to add the following remarks in my national capacity.

Promoting the responsibility to protect domestically and internationally has been a long-standing policy priority for Albania. That is why we have supported the inclusion of the responsibility to protect and the prevention of genocide, war crimes, ethnic cleansing and crimes against humanity on the formal agenda of the General Assembly at its seventy-second session. We welcome this first formal debate on responsibility to protect since 2009, which we believe represents an important opportunity for the States Members of the United Nations to reaffirm their commitments made at the 2005 World Summit regarding the responsibility to protect. Albania also supports the inclusion of the responsibility to protect as a standing item on the Assembly's agenda. In that regard, my country would welcome the adoption of a resolution reaffirming the commitment of Member States to the norm.

Reaffirming our commitment to the responsibility to protect will never be enough. Prioritizing and investing meaningfully in the prevention of genocide, war crimes, ethnic cleansing and crimes against humanity should increase in order to deal with the many challenges that remain. In that connection, we would like to emphasize the important role that the Human Rights Council and human rights mechanisms such as the Universal Periodic Review and special procedures mandate holders can play in preventing and responding to mass atrocity crimes.

I also want to emphasize that ensuring accountability for mass atrocity crimes is one of the best ways to prevent their recurrence. On 17 July we will mark the twentieth anniversary of the International Criminal Court. Albania fully supports the Court and considers it a vital institutional development in the battle to end impunity for genocide, war crimes and crimes against humanity. In that connection, I emphasize that States have the primary responsibility to investigate and prosecute crimes committed within their jurisdiction. National accountability efforts should be encouraged and supported, including by strengthening judicial cooperation between States and at the regional level.

We also need a special focus on sexual and gender-based violence, which is increasingly used as a deliberate strategy by State and non-State perpetrators. When widespread or systematic, such acts may amount to crimes against humanity, war crimes or genocide. It is never too late to hold the perpetrators accountable, achieve justice for the victims and thereby prevent further abuses.

In 2013, Albania appointed a national focal point for the responsibility to protect and has actively participated in the Global Network of R2P Focal Points, which we consider a very solid platform for sharing lessons learned and best practices for advancing and upholding the responsibility to protect, as well as for highlighting

successful national and regional initiatives that have contributed to the prevention of mass atrocity crimes.

We encourage Member States to appoint a national focal point for the responsibility to protect and to build their national and collective capacities to prevent mass atrocity crimes. We also encourage them to support national institutional capacities in implementing the responsibility to protect in the light of specific situations in the country, as well as for early prevention.

Mr. Suárez Moreno (Bolivarian Republic of Venezuela) (*spoke in Spanish*): The Bolivarian Republic of Venezuela thanks the Secretary-General for presenting his report (see A/72/PV.99) on "The responsibility to protect: from early warning to early action" (A/72/884). We confirm our position on the treatment of this issue within the framework of the General Assembly, in the belief that the concept continues to raise serious differences and concerns among States Members of the United Nations. That is due mainly to the lack of definitions of its concept and scope, which deepens divisions among the membership.

The concept has been the subject of severe criticism and questioning by a significant number of countries, including Venezuela, that continue to consider that it runs counter to the sovereignty, territorial integrity and sovereign equality of States, as well as being in clear contradiction of the principles of non-intervention in the internal affairs of States, self-determination, the peaceful settlement of disputes and refraining from the threat or use of force. Those postulates must be fully observed if we are to maintain international peace and security.

Our reservations about the respnsibility to protect are based on the consequences of the traumatic experiences of various armed interventions and military aggressions against peoples and countries designed to promote the overthrow of Governments, causing the destabilization and institutional dismantling of States. The ambiguity and legal gaps in the concept's definition, together with its selective application, make its applicability as a principle of international law illegitimate.

Venezuela reiterates its firm commitment to the importance of preventing crimes against humanity, war, genocide and ethnic cleansing, and condemns any practice aimed at the commission of those serious crimes. However, we believe that their prevention must be based on promoting dialogue and peaceful solutions to conflicts, based on Chapter VI of the Charter of the United Nations, not on military interventions or acts of aggression with disastrous consequences for the peoples whose rights the aggressors claim to defend. This is therefore a matter of how we can contribute to the effective implementation of the Charter of the United Nations and international law.

For our country, the responsibility to protect our citizens, including by promoting and respecting human rights,belongs to the State, based on the exercise of its sovereignty and political independence. We are aware that this prerogative can at no point be used to commit crimes against humanity, war crimes, genocide or ethnic cleansing. However, the concept of the responsibility to protect cannot be equated with the principles of the Charter of the United Nations.

Venezuela believes that important differences persist within our Organization regarding the content and scope of the concept of the responsibility to protect. We therefore call for discussion of it to be resumed in an informal format, in order to build the necessary consensus on its nature and scope. The inclusion of an issue that has important political and legal implications must derive from a transparent and inclusive debate process resulting in a common position that reflects the agreement of all Members. We hope that the views of the sovereign States that make up the United Nations are taken into account in order to foster the necessary consensus on such a significant issue. We believe that informal discussions continue to be a good forum to exchange views and produce that consensus.

The differences we have seen today undermine the agreement reached in this Organization in 2005, which the General Assembly already broke in September 2017. They threaten any possibility of reaching a consensus on the nature and scope of the concept of the responsibility to protect. We are aware of its negative implications for the peaceful coexistence of nations by rendering essential principles such as respect for sovereignty, political independence and the self-determination of peoples conditional and relative.

The report of the Secretary-General recommends the implementation of a concept on which there is no agreement. We are deeply concerned that the intention is to promote the use of certain bodies of this Organization to validate interventions under the guise of the responsibility to protect, making it appear to be a cross-cutting issue. The legitimacy of the proposed

actions must be based on a consensus, which, as we can see, is far from being the case right now.

Finally, Venezuela reiterates its willingness to continue working on this issue in the informal dialogue format that has been used since 2009. We believe that formula will enable us to progress towards a common base as we define the elements of the concept of the responsibility to protect.

Mrs. Cordova Soria (Plurinational State of Bolivia) (*spoke in Spanish*): Bolivia, as a State that believes in peace and promotes the culture of peace, has always advocated the resolution of conflict through negotiation, mediation, conciliation, arbitration, judicial settlement and preventive diplomacy, in accordance with the established purposes and principles of the Charter of the United Nations.

With that as our understanding, and as a country that respects international law and the need to protect human rights, we join the universal pacts, treaties and conventions that establish the responsibility of States to ensure that they are fully exercised and enjoyed. As a reflection of our commitment to the fight against impunity when those rights are violated, we signed the Rome Statute, which sets out mechanisms to punish and prosecute crimes against humanity, war crimes and genocide.

In view of that, Bolivia believes that the responsibility to protect is an exclusive obligation of States to their populations, and a primary duty that should be reflected by respecting, guaranteeing and promoting fundamental rights.

Paragraphs 138 and 139 of the World Summit Outcome document of 2005 recall the obligation incumbent on all States to protect their peoples from crimes against humanity, war crimes, ethnic cleansing and genocide. It is essential that we work together and in consensus to define the concepts and scope implied by the responsibility to protect. This responsibility is not a principle but rather a concept, whose characteristics, rules of implementation and evaluation mechanisms are far from being defined and agreed on. Without a clear definition and with imprecise terms to support it, the responsibility to protect has a high risk of becoming a mechanism for interfering in the internal affairs of States or being used selectively as a tool to achieve political gains.

While we take note of the Secretary-General's report (A/72/884) and recognize the key role of the United Nations in identifying and issuing early warnings in situations that could become human rights violations, we reiterate that any action considered as implementing the responsibility to protect must unquestionably belong in a framework of respect for the independence, sovereignty and territorial integrity of States. It must seek to build capacities, not undermine or impair them. That includes the prohibition of the implementation of policies of intervention or interference. We therefore reiterate that any action or threat of unilateral action against a State runs counter to the principles of multilateralism, international law and the Charter of the United Nations.

It is important to bear in mind that interventionism and regime-change policies carried out as so-called preventive or humanitarian interventions have left gaps in State structures that can tragically lead to chaos, extremism, the proliferation of terrorism and the militarization of entire regions, which, unfortunately, continue to occupy the attention of our Organization. In that understanding, if we really do desire to prevent and avoid humanitarian disasters, the root causes of such situations must be addressed. They include underdevelopment, poverty, inequality, social exclusion, food insecurity, lack of access to safe water, the implementation of selective unilateral embargoes and other structural problems that exacerbate conflicts until they become unsustainable situations.

In conclusion, we note that the report of the Secretary-General does not reflect the concerns expressed by several States regarding the need to agree on a conceptual and methodological framework for the scope and limits of the responsibility to protect, although those concerns were recognized during his presentation in the informal dialogue held on 6 September 2017. Until those elements have been duly studied, clarified, agreed on, accepted and recognized by all States, this subject should therefore not be considered or established as a permanent item on the agenda of the General Assembly.

Mr. Zhemeney (Kazakhstan): My delegation would like to thank the President of the General Assembly for convening this meeting. We hope that today's discussion will foster consensus among Member States on this important topic.

Kazakhstan reaffirms its commitments to paragraphs 138 and 139 of the 2005 World Summit

Outcome document and, as a non-permanent member of the Security Council, considers it a moral imperative to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. In our commitment to that objective, we have therefore joined the code of conduct regarding Security Council action against genocide, crimes against humanity and war crimes.

We support the concept of the responsibility to protect and its three reinforcing pillars. At the same time, opinions still differ about the concept of the responsibility to protect, with contradictory perceptions of the right to sovereignty and territorial integrity versus the use of force. We must therefore reflect the concerns of all Member States, define accurate criteria with respect to the application of the pillars and principles of the responsibility to protect and create impartial, balanced, objective and depoliticized decision-making mechanisms. We should also review and analyse both successful and unsuccessful experiences in preventing atrocity crimes.

We acknowledge that Governments bear the primary responsibility for the protection of their own citizens and emphasize that any use of force should be a measure of last resort, duly authorized by the Security Council on a case-by-case basis, in accordance with the Charter of the United Nations.

We have carefully examined the latest report of Secretary-General Guterres (A/72/884) and share his views on the importance of prioritizing prevention across all the pillars of the work of the United Nations. We fully support his assertion that inclusive and sustainable development is the best form of prevention against all kinds of risks. We therefore underscore the need for strengthened international cooperation in building a sustainable world with basic services and protected human rights. It is critical to support Member States in addressing the root causes of conflict, including chronic poverty, illiteracy, food insecurity and the adverse effects of climate change. Equally important is capacity-building for more effective and accountable institutions, appropriate legislation and security and justice reform. We believe that our preventive efforts will succeed only if they rely on dialogue, confidence-building measures and establishing partnerships with all relevant parties.

In conclusion, I would like to reiterate that Kazakhstan is committed to working closely with all the relevant parties to ensure the full protection of populations from genocide, war crimes, ethnic cleansing and crimes against humanity.

Mrs. Nusseibeh (United Arab Emirates): I thank the President for convening the first formal General Assembly debate in nine years on the responsibility to protect. The United Arab Emirates welcomes the renewed focus on an important concept in our global foreign-policy toolkit. Today's reinvigoration of the discussion of the responsibility to protect in the current global context is very timely. The United Arab Emirates believes that a better understanding of the responsibility to protect can be reached through discussions like this one, and to that end, we support this year's inclusion of the responsibility to protect as a stand-alone item on the agenda of the General Assembly.

With time, the historical memory of atrocities and crimes against humanity fades and the significance of "never again" wanes. However, we must not forget the events, actions and inaction that led to such atrocities, and we must dedicate ourselves to preserving our shared memory of them. Through political events and the context of crises — although they are different today from what they were in Srebrenica and Rwanda, more than 20 years ago — we are still seeing States failing to protect their own populations from atrocity crimes.

The nature of today's crises has raised questions about the viability of the principle of the responsibility to protect, given today's geopolitical realities — questions such as how we can uphold this principle when non-State actors are shaping conflicts. What about when conflict endures for years and, in some cases, decades? Who shoulders the responsibility to protect — is it Member States, international legal bodies or new institutions altogether? And in assuming that responsibility, what are the right tools for protecting civilians from atrocity crimes?

There is also the question of the status of the responsibility to protect when the international bodies tasked with defending peace and security struggle to reach a consensus and take action. Arguably, in various cases, Security Council paralysis has contributed to prolonging violent conflict around the world, and to address that, the United Arab Emirates supports the initiative led by France and Mexico on limiting the use of the veto in cases of mass atrocities and the code of conduct of the Accountability, Coherence and Transparency group.

The United Arab Emirates joins others here today in reaffirming our shared commitment to the responsibility to protect, as endorsed in the 2005 World Summit Outcome document. We believe that the responsibility to protect populations from crimes against humanity rests, first and foremost, with sovereign States. However, in this context, we believe that the concept of sovereignty is a right with a concomitant responsibility. A sovereign State's responsibility to protect extends to addressing the root causes of conflict and, where necessary, seeking assistance and technical support from regional partners, the United Nations and its Member States.

Furthermore, it is only as a matter of last resort, when a State has clearly violated its obligations under international law and has failed to fulfil its the responsibility to protect, that intervention is warranted. Any intervention or military action that might come with upholding the responsibility to protect could be undertaken only with the consent of the sovereign State in question or when authorized by the Security Council, and it therefore strengthens the Security Council's toolkit of responses to crises.

The Secretary-General has outlined a robust threefold strategy for strengthening early action, including promoting accountability for atrocity prevention. The United Arab Emirates stresses that ensuring accountability for mass atrocity crimes is vital to preventing their recurrence.

In our own region, we continue to experience multiple armed conflicts with severe repercussions for civilian communities. In that context, doubts about precise facts and figures can lead to impunity for those who commit atrocities. One way to objectively verify such crimes is to create agreed-on mechanisms for collecting data that is beyond dispute, so that the international community can react promptly and responsibly to major developments. Another way is reinforcement through legal frameworks set up by international bodies, as the Security Council did with resolution 2379 (2017), which established an investigative team tasked with collecting, storing and preserving evidence of Da'esh's crimes in Iraq.

In collecting data and understanding developments on the ground, civilians can play a role in early warning and assessment and in bringing situations of concern to the attention of the international community, as the Secretary-General has rightly highlighted in his report (A/72/884). Although the State's responsibility to protect is owed to its people, civilians should not be treated merely as silent beneficiaries. They are partners, and civilian action helps to prevent atrocity crimes.

The United Arab Emirates concurs with others that we can collectively reaffirm our commitment here today by first supporting the Secretary-General and his focus on prevention so as to address the root causes of conflict before intervention is required. How do we do that? Clearly, strengthening the role of women in the prevention of atrocity crimes supports that goal. As the Secretary-General makes clear in his report, research tells us that gender equality and the full inclusion of women in peace processes, and as preventive actors, greatly reduces a society's exposure to risks of violence, including atrocity crimes.

Furthermore, atrocity prevention must fully reflect the tenets laid out in the women and peace and security agenda and in resolution 1325 (2000). We must ensure that women are empowered and supported as agents of change in atrocity prevention. The United Arab Emirates encourages the continued cooperation, as called for by the Secretary-General, of his Special Advisers on the Prevention of Genocide and, when appointed, on the Responsibility to Protect, with UN-Women, the relevant mandate holders and regional actors to achieve that goal. Prevention efforts must also include an established and institutionalized programme for bringing in the voices of young people.

Secondly, it is imperative to shift the dialogues on the responsibility to protect out of New York and into regions and capitals, so that we can find regional and national solutions. To that end, the Secretary-General's report rightly highlights the importance of regional and subregional arrangements, linking them to decision-making on early action in preventing atrocities and responding effectively to risks of atrocity crimes. Such arrangements can be further developed by reviewing and enhancing preventive capacities, as well as sharing those best practices with Member States here in New York.

Thirdly and finally, committing to a robust human rights regime is key to the prevention agenda. That includes an emphasis on strong institutions and good governance at the regional and international levels.

Mr. Prasad (Fiji): I thank the President of the General Assembly for convening this debate.

Fiji aligns its statement with that delivered by the Permanent Representative of Kiribati on behalf of the members of the Pacific Island Forum (see A/72/PV.99). We would like to add the following comments in our national capacity.

We would like to express our great appreciation to the Secretary-General for his briefing (see A/72/PV.99) and comprehensive report (A/72/884), whose recommendations we commend and support.

This is our first time in the debate on the responsibility to protect. Fiji adds its voice in favour of including the responsibility to protect as a recurring item on the General Assembly's agenda. We have an obligation to our communities, which look to the United Nations to provide protection from crimes against humanity and genocide. The obligation falls to us to take appropriate measures to safeguard lives and protect communities when their lives are at risk. It falls to us to ensure that the international system acts in time, proactively and decisively. We should therefore provide a clear pathway with regard to the responsibility to protect.

I want to stress the importance that national, regional and global institutions have in protecting lives. The Human Rights Council is vital to the responsibility to protect. Fiji recognizes that the Council needs to do its job better, and we are therefore seeking membership in the Council to pursue that agenda. It is a small but important starting point.

Fiji is committed to the principle of the responsibility to protect, a commitment we reaffirmed in the 1970s when we began to deploy Fijian peacekeepers in very difficult regions of the world. Although we have lost lives in upholding the responsibility to protect civilians, we have remained steadfast. We believe that strengthening United Nations peacekeeping is a fundamental part of the overall United Nations strategy and toolkit for protecting people from mass atrocities and prevent war crimes.

We agree with the findings of the Secretary-General that accountability for atrocity prevention should be considerably enhanced. Fiji looks forward to the speedy appointment of a new Special Adviser to work with all stakeholders in ensuring that the responsibility to protect is a feature of peacekeeping training and deployment. Peacekeeping, human rights and the responsibility to protect are part of a continuum. The Secretary-General's initiative will ensure a greater focus on strengthening that interrelationship. It will both complement and help to reinforce the regional efforts in the South Pacific through the Biketawa Plus initiative, which some of my colleagues mentioned last week. I would like to take this opportunity to thank Australia and Ghana for their bold leadership in driving the agenda and look forward to working with the Assembly in forging a consensus on the responsibility to protect as soon as possible.

Mrs. Onanga (Gabon) (*spoke in French*): First of all, my delegation would like to congratulate the President of the General Assembly on the initiative to convene today's debate on the responsibility to protect. We would also like to congratulate Ghana and Australia on their efforts to include the issue as part of the formal agenda of the General Assembly. We commend Secretary-General António Guterres on his determination to make the issue an absolute priority.

As the Assembly knows, civilians account for the vast majority of victims in armed conflicts marked by ongoing and very serious violations of international humanitarian law. Gabon is of the view that any attack on civilians is a flagrant violation of international humanitarian law, human rights law and refugee law. The responsibility to protect people and prevent genocide, war crimes, ethnic cleansing and crimes against humanity lies primarily with States, both in times of peace and during war. That responsibility also extends to protecting refugee camps. I also want to take this opportunity to reiterate Gabon's commitment to international criminal justice and the fight against impunity so as to ensure that those responsible for serious crimes are held accountable for their actions before competent national or international courts.

My country affirms its commitment to the standards set by the responsibility to protect, particularly the implementation of the three pillars — prevention, encouraging the international community and collective action in the case of a State's failure. I take this opportunity to commend the Secretary-General on his personal commitment to preventing conflict in the world, which is the best antidote to mass crimes. We also appreciate the efforts of the Special Advisers of the Secretary-General on the Prevention of Genocide and on the Responsibility to Protect.

My country has prioritized dialogue and the quest for national consensus as a way of preventing and settling disputes within our society. The same commitment to

dialogue is at the core of our foreign policy, and we have spared no effort to peaceably resolve conflicts with our neighbours and offer our good offices to settle crises in sister countries. Gabon's commitment to peace and the protection of the civilian population is behind its commitment to peacekeeping missions, for example in the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic.

In that regard, I would like to pay a well-deserved tribute to the Blue Helmets and to peacekeeping contingents throughout the world. United Nations peacekeeping operations are a special instrument for protecting civilians. We deplore the fact that they have to be conducted in areas where, regrettably, there is no peace to keep and where the lives of the Blue Helmets can be at risk. I urge the United Nations to strengthen the benefits of peacekeeping by providing missions with the proper resources.

Gabon welcomes the fact that the Security Council has placed the protection of civilian populations at the core of the mandates of many peacekeeping missions, as well as its focus on gender-based violence. We support current efforts to better equip contingents at the predeployment stage and during their missions to ensure the protection of vulnerable groups, in particular women and girls.

Above all the considerations and profound differences affecting our world, our Assembly has the responsibility to promote the effective implementation of the responsibility to protect so as to better preserve the human dignity that we share.

Ms. Uludong (Palau): At the outset, I would like to thank the Secretary-General for his report entitled "Responsibility to protect: from early warning to early action" (A/72/884). Let me also thank Australia and Ghana for their leadership on this very important issue.

We align ourselves with the statement made by the representative of Kiribati on behalf of the Pacific Island Forum (see A/72/PV.99).

Palau is a small island developing State with a population of approximately 20,000. We gained full independence only 25 years ago. Despite our size, youth and limited role in international affairs, we have nevertheless committed to fully participating in the international forum and in confronting the issues of the day. With a national Constitution that protects our cultural heritage as well as the rights of our people, we fully embrace the right of all people to peaceful existence and protection, in all matters, from hostile actions that could jeopardize domestic peace or harmony.

We also believe in the positive effects of preventive action. While it is fiscally beneficial to invest in preventive action, such investment also saves lives. Early dialogue and action can not only prevent loss of life, they can generate healing from the traumas that result from the atrocities of ethnic cleansing, war crimes and other crimes against humanity. There is therefore a significant place for expanding opportunities for civil society. Working together at the international, regional and domestic levels is imperative to ensure effective and coordinated preventive action. Community efforts and collaboration will help to identify and de-escalate tensions that could spiral out of control. However, there are also times when preventive action is not enough.

That is why, despite its minimal resources, in 2005 Palau contributed two women to its first peacekeeping mission, in East Timor. In 2008, we sent one woman to the peacekeeping mission in Darfur, in the Sudan. Yes, I said "women". In Palau, we believe that the right to peace and prosperity and their related obligations extends to all people, whatever their colour, creed, race or gender. We will continue to contribute to international peacekeeping forces as an absolute obligation. That is why Palau has the highest per capita induction rate into the United States military, which also focuses its efforts on peacekeeping around the world. That is why we participate fully and proactively in United Nations initiatives on issues such as climate change and biodiversity that work not only to save our planet but also to protect the economic foundations that peace and security are based on.

Ultimately, the fight against atrocity crimes can be won only through group effort. Shared experiences, collaboration and coordination at all levels will help to keep fellow Member States in check and will ultimately ensure the safety of our citizens and global community.

Every nation on the planet and their peoples deserve peace, security, independence and prosperity. But those rights come at a price. It is not without obligations that we inhabit our place and time on the Earth. In true empathy, Palau will therefore continue, with all available means, to foster the rights of all the people on the planet through active participation and intervention in international initiatives that protect and

improve the plight of those least capable of securing a better life for themselves.

Mr. Soomauroo (Mauritius): At the outset, I would like to thank the President of the General Assembly for convening today's meeting on the responsibility to protect and the prevention of genocide, war crimes, ethnic cleansing and crimes against humanity, as part of the formal agenda of its seventy-second session.

The debate on the subject is long overdue. The last time the Assembly had a formal discussion on this very important issue was in 2009. We commend Ghana and Australia for encouraging a substantive discussion among Member States on the responsibility to protect. Today's debate reflects the importance we attach to this crucial subject and the consensus that has been built over the past decade regarding the importance of preventing atrocities.

This dialogue is a good opportunity for us to collectively reflect on the principle of the responsibility to protect, identify gaps and strengthen the mechanism for making the responsibility to protect more effective. Time is short and human rights and humanitarian situations in many of the world's hotspots are worsening, while insecurity continues to grow. No longer should we look back to atrocious crimes and genocide with the feeling that too little was done too late. Too often in the past we have said "Never again". Yet grave allegations of mass atrocities in various parts of the world, if not addressed in a timely and effective manner, may quickly spiral into catastrophes, human and otherwise.

We all acknowledge that it is the core function of States to protect their citizens. As noted in this year's annual report of the Secretary-General on "Responsibility to protect: from early warning to early action" (A/72/884), the world simply must get better at preventing and halting the most conscience-shocking crimes. We welcome the focus on prevention, which is about understanding the warning signs of an imminent human catastrophe. It is important for all Member States and the United Nations to take decisive action to prevent and to protect people when clear signs exist.

On the African continent, the African Union and other subregional organizations have been ahead of the curve in establishing preventive mechanisms. They should be supported in playing a more pronounced role in preventing conflicts and sharpening their early warning capabilities and their abilities. The support of the United Nations in that endeavour will be instrumental.

Mauritius is already a party to the Rome Statute, which we have introduced into our domestic legislation in our International Criminal Court Act, which criminalizes genocide and other atrocities of war crimes. Through our support for the International Criminal Court, we foster capabilities for accountability and reconciliation, and we also do so to ensure accountability for atrocity prevention and actively promote the universality of the Rome Statute.

It is important that the international community address the root causes of conflicts. In keeping with our collective pledge under the Sustainable Development Goals, which underscore that everyone deserves a life of dignity, it is essential to promote peaceful and inclusive societies, ensure justice for all and build strong institutions for addressing conflicts. For weak and vulnerable States, that can be achieved only through technical assistance, capacity-building, international partnerships and support.

The Acting President (*spoke in French*): We have heard the last speaker in the debate on this item.

I shall now call on those representatives who have asked to speak in exercise of the right of reply. I would like to remind members that statements in the exercise of the right of reply are limited to 10 minutes for the first statement and five minutes for the second, and should be made by delegations from their seats.

Mr. Warraich (Pakistan): My delegation is obliged to take the floor to respond to the statement by the representative of India during the 100th plenary meeting of the Assembly, on 25 June, which was nothing but a concocted mix of delusion and falsehood. Contrary to India's claim, Jammu and Kashmir never were or will be part of India. According to Security Council resolutions, they are a disputed territory. The legal standing is firm and abiding. However much as India may attempt, that fact can neither be sidestepped nor wished away.

With regard to the human rights situation in occupied Kashmir, I will venture no further than the recent report by the Office of the United Nations High Commissioner for Human Rights, which documents systematic violations of human rights in the occupied territory. As the report notes, the situation is exacerbated by parallel judicial structures, built with

the express purpose of "imped[ing] accountability and jeopardiz[ing] the right to remedy for the victims of human rights violations".

As much as some may consider it so, repeating groundless accusations and fabrications does not lend them credibility. They may at best satisfy a self-deluding notion of reality, but a farce can go only so far. That is all too apparent from the report of the Office of the High Commissioner for Human Rights.

Mr. Bayyapu (India): During a previous meeting in this important debate, a week ago (see A/72/PV.100), we placed on record our objection to yet another attempt by the delegation of Pakistan to misuse this forum. We are constrained to take the floor again today. Repeated and cynical attempts by Pakistan — a hub of terrorism in our region and beyond — to spread a false narrative about the Indian state of Jammu and Kashmir have not succeeded in the past and will not do so now. We do not wish to engage any further on the matter.

Mr. Warraich (Pakistan): Regrettably, we have to request the floor again to respond to the statement just made by the representative of India. We will not lend credence to his statement by responding to it. We will simply say that no amount of obfuscation by India can alter the incontrovertible reality of the grim human rights situation in Indian-occupied Jammu and Kashmir or the illegality of that occupation.

The Acting President (*spoke in French*): May I take it that the Assembly has thus concluded its consideration of agenda item 132?

It was so decided.

The meeting rose at 12.50 p.m.